

**TRIAL MINUTES OF THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN MARIANA ISLANDS**

(CR-07-00009)
CR-07-00024

October 17, 2007
9:10 a.m.

UNITED STATES OF AMERICA -v- SUN, WEI QIN

PRESENT: Hon. Alex R, Munson, Chief Judge
Abigail Robinson, Law Clerk
Sanae Shmull, Court Reporter
K. Lynn Lemieux, Courtroom Deputy
Eric O'Malley, Assistant U. S. Attorney
Jared Fishman, U.S. Department of Justice
Joseph Camacho, Attorney for Defendant
Sun, Wei Qin, Defendant

PROCEEDINGS: Jury Trial - Day Three

Government by Eric O'Malley, AUSA and Jared Fishman, Attorney, U.S. Dept. Of Justice. Attorney James Camacho was present on behalf and with defendant SUN, Wei Qin. Also present were interpreters Aby Leung and Monique Kremer. 12 jurors and 2 alternates were present.

Attorney Camacho continued with CX of witness Lin Xiulan.

Jurors were excused at 10:20 a.m. and left the Courtroom.

Outside the presence of the jury, discussions were had regarding whether or not there was a superseding indictment in this case.

Court recessed at 10:22 a.m. and reconvened at 10:40 a.m.

Outside the presence of the jury, Court stated that there had been a superseding indictment filed in this case and that this case became CR-07-00024. Court informed counsel that all pleadings filed in CR-07-00009 should have become part of CR-07-00024 and that the trial should have proceeded under the new case number. Therefore, the jury would be instructed as to the aforementioned. Counsel so agreed.

Jurors were brought into the Courtroom and Court instructed them that the correct case number in this trial is CR-07-00024.

Attorney Camacho continued with CX of Lin Xiulan and concluded at 11:12 a.m. AUSA O'Malley began RDX of witness at 11:13 a.m. Witness was excused at 11:25 a.m.

Jurors were excused for lunch at 11:25 a.m. and ordered to return at 1:00 p.m.

Discussions were held between the Court and Counsel regarding jury instructions.

Court recessed at 11:28 a.m. and reconvened at 1:10 p.m.

Government called witness:

YANG JUN. DX by Attorney Fishman. CX by Attorney Camacho. Witness was excused at 1:30 p.m.

Government called witness:

LING LIN PALACIOS . DX by AUSA O'Malley. CX by Attorney Camacho. Witness was excused at 1:40 p.m.

Government called witness:

DANA MC MAHON. (FBI Agent). DX by AUSA O'Malley. Government offered **Ex. 17** into evidence; no objection, Court so ordered. Government offered **Ex. 16 and 16T** into evidence; no objection, Court so ordered. Government offered **Ex. 15 and 15T** into evidence; no objection, Court so ordered. Government offered **Ex. 25** into evidence; no objection, Court so ordered. Government offered **Ex. 18** into evidence; no objection, Court so ordered. CX by Attorney Camacho. RDX. RCX. Witness was excused.

Jurors were excused at 2:45 p.m. for afternoon break and they left the Courtroom.

Discussion was held between Court and Counsel regarding witnesses and verdict forms.

Court recessed at 2:26 p.m. and reconvened at 3:10 p.m.

Government called witness:

VERONICA KWOK. (Interpreter). DX by Attorney Fishman. Government made a Motion to Qualify the witness as an Expert Witness in Mandarin and Cantonese; no objection, Court so ordered. CX by Attorney Camacho. Attorney Camacho offered Ex. A-1; A-2, and A-3; no objection Court so ordered. Attorney Camacho offered Ex. B-1; B-2, and B-3; no objection Court so ordered. Attorney Camacho offered Ex. C-1 and C-2; no objection Court so ordered. RDX. Witness was excused at 3:45 p.m.

Government recalled witness:

DANA MC MAHON. DX. Government offered into evidence Ex. 19; no objection, Court so ordered.

Court released the jurors for the evening at 4:30 p.m. (All except one juror that was held behind to have a discussion with the Court regarding her requested leave).

Court discussed the issue with counsel and a decision was made as to whether to excuse a juror.

Adjourned 4:40 p.m.

/s/K. Lynn Lemieux, Court Deputy